

My name is Mark Linnebur. I am the President of the Colorado Association of Wheat Growers and a farmer from Byers, CO. I also farm near Last Chance on Hwy 71 and my children go to school out there at Woodlin. It is a pleasure to be here this morning.

Approximately 72 million bushels of winter wheat are produced annually on the Eastern Plains of Colorado. Colorado wheat farmers harvest the winter wheat crop in July of each year and this production moves from the field to farmer storage, country elevators or into the Denver mill by farm trucks or semis on county roads, state highways and our interstate system. Colorado exports 80% of that wheat crop, so approximately 58 million bushels which must move from farmer storage to unit train (100 car plus) shipping points for rail transport to the Gulf Coast or Pacific Northwest ports for export to approximately 60 countries around the world for example Nigeria, Mexico, Japan, Iraq, Israel, South Korea, and Taiwan, which are typically the top export buyers.

Colorado winter wheat is one of Colorado's top exports averaging over \$279 million annually. Last year it was worth \$437 million. The remaining 20%, or 15 – 18 million bushels is primarily used by ConAgra Mills at its major flour mill in Commerce City with over 10 million bushels of storage to serve this mill. This means that 15 – 18 million bushels of winter wheat valued at over \$100 million last year, must move from on-farm storage and country elevators on the Eastern Plains to ConAgra Mills storage location in Commerce City by farmer truck on state and interstate highways. ConAgra probably exports at least 15 million bushel by rail as well. That's about 20,000 – 40,000 truckloads of wheat coming into the Denver metro area and that doesn't include other crops such as corn.

So what is the environment like for hauling our grain into the Denver metro area?

The City of Denver is now ticketing overweight trucks, not just with a ticket but doubling the ticket with a "Victims Assistance Fund", turning a \$5,000 ticket into a \$10,000 ticket. That instance was the case for our custom harvester last year. My brother had a \$1,500 turned into a \$3,000 ticket. Please don't misunderstand, I believe that we should obey the law and we do try. However, it is very difficult to load trucks and get the weight just right every time. Especially when coming out of the field at harvest and my 12 year old son, the grain cart driver is filling the truck. It only takes a few seconds to load it a few thousand pounds too heavy. The original ticket fine is already pretty stiff but then doubling it just seems so unreasonable.

Also, the City of Denver is enforcing federal bridge law, doing this even when the Colorado State Patrol said they don't enforce it. So the city of Denver is targeting farmer's shorter grain trailers. The Federal Bridge law formula includes truck length as a variable. We are continually being pulled over off of I-70 by one Denver police

officer assigned to do this. It essentially makes an 80,000 # legal load into a 75,000 # load. We purposely bought shorter trailers and day cab trucks after calling the State Patrol to see if it was going to be a problem, because they are safer for us driving in Denver, but now we are being penalized because of (what I think is) Denver needing to make up for budget shortfalls and I think they are targeting groups such as farmers.

So what our farm did was purchase overweight permits so that we wouldn't run into this problem again. But the overweight permits only apply to secondary roads and not on I-70. So now we take these secondary roads into Commerce City which pass through residential areas, which is not as safe as running down the interstate. Question / Response: the overweight permit does not allow for overweight traffic on interstates. Those are still limited to 80,000#. It would be good to increase the weight limit to 85,000# on the interstate as well as allowing the overweight permit to apply to interstates. It would keep lessen the traffic going through

residential areas. And the I-70 is concrete now quite a ways out east and the heavier permitted trucks do far less damage (if any) than on the paved residential streets.

And it's not just enough to buy one state permit through CDOT, but Aurora, Denver and Commerce City each require us to buy a separate permit all of which we pass through to get to the mill. I do credit the state patrol, they do give us some tolerance and are much easier to deal with, but especially Denver is really being difficult.

The last thing I wanted to talk about, aside from truck transportation was the Railroads and the small communities they go through in Eastern Colorado.

The transcontinental Railroad was originally set up in Abraham Lincoln's time as a feeder system, where smaller short line railroads would feed the main lines going across the country. Well,

now this feeder system is dying away because of price rates that UP and BNSF charge. What this means is that the small communities in Eastern Colorado that were built on these short line railroads with the Co-op elevator, essentially can no longer ship by railroad because of the cost. And there goes another business from these already struggling communities. And all the grain that would have otherwise been shipped by rail for export directly from the country elevator is now being put on a truck, increasing truck traffic and decreasing safety, to a larger terminal directly on the BNSF or UP line. I am very concerned about rural Colorado and I believe that if these short line railroads were economically viable, it would generate much needed business on the eastern plains.

Question / Response: The ports to plains project does not include railroad. The R2C2 project was proposed for that corridor but I think that has died away? The farmers and communities out on the eastern plains have been against it because it just divides up their farms and communities without any benefit to the communities.

However, if it were a feeder system railroad and the co-ops were able to access the rail line then I don't think there would be that great of opposition. Maybe an economic mainstay for the rural eastern plains may not just be agriculture and energy, but could also include transportation in this.

These are some of the challenges we in eastern Colorado and agriculture face concerning transportation. I appreciate the opportunity you've given me in bringing some of them to your attention. Thank you.